

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOI HORN and
RILEY TROY GRAHAM,

Plaintiffs,

Case No. 20-cv-12823
Hon. Matthew F. Leitman

v.

RONALD W. WATERSTREET, *et al.*,

Defendants.

/

ORDER DISMISSING PLAINTIFF'S
COMPLAINT (ECF No. 1) WITHOUT PREJUDICE

On August 28, 2020, Plaintiffs Toi Horn and Riley Troy Graham filed this action against Defendant Ronald W. Waterstreet and others. When Horn and Graham filed this action, the Court provided them a notice informing them that pursuant to Local Rule 11.2, they were required to “promptly file a notice with the Clerk and serve a copy of the notice on all parties whenever [their] address[es], e-mail address[es], phone number[s] and/or other contact information changes” (the “Notice”). (*See* Notice and Certificate of Service, ECF No. 6, PageID.2007, citing E.D. Mich. Local Rule 11.2.) The Court warned Horn and Graham that the “failure to promptly notify the court of a change in address or other contact information may result in the **dismissal** of [their] case.” (*Id.*; emphasis in original).

On February 8, 2021, the Notice returned to the Court as undeliverable with respect to Horn. (*See* ECF No. 7.) Accordingly, on July 20, 2021, the Court entered a written order that dismissed Horn from this action without prejudice due to his failure to comply with Local Rule 11.2. (*See* Order, ECF No. 8.)

The Court attempted to serve the July 20 order on Graham by mailing him a copy of the order at the address he provided the Court. (*See* Dkt.) On August 10, 2021, the copy of the July 20 order that the Court mailed to Graham returned to the Court as undeliverable. (*See* ECF No. 9.) As the Court said when it dismissed Horn from this action, the failure by a plaintiff to update his contact information is not a mere technical violation of the rules. Without a current address or accurate contact information, the Court has no way of administering this civil action.

Accordingly, for all of the reasons stated above, and because Graham has failed to comply with Local Rule 11.2 by updating his current address, **IT IS HEREBY ORDERED** Graham's Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: August 10, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 10, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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